



PTO/SB/21 (04-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/870,012
		Filing Date	May 29, 2001
		First Named Inventor	Chaitan KHOSLA
		Art Unit	1652
		Examiner Name	K. Kerr
Total Number of Pages in This Submission	10	Attorney Docket Number	300622000212

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Form PTO-1449 (3 pages + duplicate) 66 References Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Kate H. Murashige - 29,959
Signature	
Date	November <u>4</u> , 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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PATENT
Docket No. 300622000212

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A handwritten signature in black ink, appearing to read "Rhea Amid".

Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Chaitan KHOSLA et al.

Serial No.: 09/870,012

Filing Date: May 29, 2001

For: METHODS TO PREPARE
ANTIBIOTICS USING MUTANT
SACCHAROPOLYSPORA ERYTHRAEA
HOST CELLS SUPPLIED WITH
MACROLACTONES (AS AMENDED)

Examiner: K. Kerr, Ph.D.

Group Art Unit: 1652

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are submitted herewith. The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of __ is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **300622000212**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 1, 2004

Respectfully submitted,

By: Kate H. Murashige
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Registration No. 29,959

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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i> 	Docket Number 300622000212		Application Number 09/870,012
	Applicant Chaitan KHOSLA et al.		
	Filing Date May 29, 2001	Group Art Unit 1652	
	Mailing Date November 2, 2004		

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	11/1985	4,551,433	DeBoer	435	253	
	2.	10/1989	4,874,748	Katz et al.	514	29	
	3.	06/1990	4,935,340	Baltz et al.	435	6	
	4.	11/1991	5,063,155	Cox et al.	435	76	
	5.	03/1992	5,098,837	Beckmann et al.	435	172.3	
	6.	09/1992	5,149,639	Katz et al.	435	76	
	7.	12/1992	5,168,052	Cox et al.	435	72	
	8.	10/1993	5,252,474	Gewain et al.	435	172.3	
	9.	05/1996	5,514,544	Rao et al.	435	6	
	10.	01/1998	5,712,146	Khosla et al.	435	252.35	
	11.	12/1999	6,004,787	Katz et al.	435	183	
	12.	05/2000	6,060,234	Katz et al.	435	4	
	13.	05/2000	6,063,561	Katz et al.	435	4	
	14.	05/2000	6,066,721	Khosla et al.	536	23.1	
	15.	06/2000	6,080,555	Khosla et al.	435	41	
	16.	03/2001	6,200,813	Katz et al.	435	477	
	17.	08/2001	6,271,255	Leadlay et al.	514	450	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	18.	08/1997	EP 791655	Europe			
	19.	08/1997	EP 791656	Europe			
	20.	12/1996	WO 96/40968	WIPO			
	21.	01/1998	WO 98/01546	WIPO			

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DATE CONSIDERED:

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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>				Docket Number 300622000212	Application Number 09/870,012
				Applicant	Chaitan KHOSLA et al.
				Filing Date May 29, 2001	Group Art Unit 1652
				Mailing Date November 1, 2004	

PTO/US TRADEMARK OFFICE	22.	01/1998	WO 98/01571	WIPO			
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OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	23.	Brown et al., J. Chem. Soc. Chem. Commun. (1995) 15:1517-1518
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		Applicant	Chaitan KHOSLA et al.
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		Mailing Date November 2, 2004	

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PTO/SB/08 (2-92) sd- 226555	Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE